

प्रारूप विकास योजना-मालगांव (द.सु.)

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम

१९६६ चे कलम ३१(१) अन्वये मंजूर करणंबाबत.

महाराष्ट्र शासन

नगर विकास विभाग

शासन निर्णय क्रमांक टिपीएस-११०५/३५००/प्र.क्र.११४/०६/नवि-९,

मंत्रालय, मुंबई- ४०० ०३२.

दिनांक :- १५/९/२००६.

शासन निर्णय :- सांबतच्या अधिसूचना महाराष्ट्र शासनाच्या नाशिक विभाग असाधारण राजपत्रात
दिनांक १९.९.०६ पर्यंत प्रसिध्द करण्यात याव्यात.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

(सुधाकर नागनुर)

शासनाचे उपसंचिव

प्रति,

१) विभागीय आयुक्त, नाशिक विभाग, नाशिक.

२) आयुक्त, मालगांव महानगरपालिका, मालगांव

३) संचालक, नगर रचना, महाराष्ट्र राज्य-पुणे.

४) उपसंचालक, नगर रचना, नाशिक विभाग, नाशिक

त्यांना विनंती करण्यात येते की, सांबतच्या निर्णयाच्या अनुषंगाने अधिप्रमाणित
करावयाच्या नकाशाच्या आवश्यक प्रती शासनास सत्वर सादर कराव्यात)

५) जिल्हाधिकारी, नाशिक

६) महासूचक संचालक, नगररचना, नाशिक शाखा, नाशिक.

७) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, येरवडा कारागृह, पुणे.

(त्यांना विनंती करण्यात येते की, सांबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या
असाधारण राजपत्रात भाग-१ नाशिक विभागीय पुरवणीमध्य प्रसिध्द करून त्याच्या प्रतिलिपी १० प्रांत या
विभागास व संचालक, नगररचना, महाराष्ट्र राज्य-पुणे आणि उपसंचालक नगर रचना, नाशिक विभाग
यांना पाठवाव्यात.)

८) कक्ष अधिकारी नांव-२९, नगर विकास विभाग, मंत्रालय मुंबई त्यांना विनंती करण्यात येते
की, सांबतची अधिसूचना विभागाच्या वेबसाइटवर प्रकाशित करण्याबाबत आवश्यक ती कार्यवाही करावी.

९) निगड नस्ती (कागोमन नांव-९)

NOTIFICATION
Government of Maharashtra,
Urban Development Department,
Mantralaya, Mumbai-400 032.
Dated : 15/9/2006

No. TPS-1105/3500/CR-114(A)/06/UD-9

Maharashtra
Regional &
Town
Planning Act,
1966

Whereas, the Malegaon Municipal Corporation (hereinafter referred to as 'the said Planning Authority') being the Planning Authority, within its jurisdiction under Clause (19) of Section 2 of the Maharashtra Regional & Town Planning Act, 1966 (Maharashtra XXXVII of 1966) (hereinafter referred to as 'the said Act') has by its Resolution No.41, dated 24th July, 1997 declared its intention under Section 38 read with sub-section (1) of Section 23 of the said Act, to prepare Revised Draft Development Plan for the municipal limit and notice of such declaration was published at Page No.245 & 246 of the Maharashtra Government Gazette, dated 26th February, 1998;

And whereas, the said Planning Authority after carrying out survey of the lands within its jurisdiction as required under Section 25 of the said Act, prepared and published a notice regarding preparation of Draft Development Plan at page No.227 in the Maharashtra Government Gazette, Nashik Division Supplement, Part-I, dated 14th February, 2002 for inviting suggestions & objections to the such Draft Development Plan for the area of Malegaon Municipal Corporation (hereinafter referred to as 'the said Development Plan') under sub-section (1) of Section 26 of the said Act;

And whereas, after considering the suggestions and objections to the published draft Development Plan received and report submitted by the Planning Committee, the said Planning Authority made some modifications under Section 28(4) of the said Act to the Development Plan vide its Resolution No.123, dated 23rd June, 2003;

And whereas, the modifications proposed in the said Development Plan by the Planning Authority are of substantial nature, the Planning Authority has published the modifications under Section 29 of the said Act for inviting suggestions and objection thereon from the public, the notification to that effect was published in the Maharashtra Government Gazette, Nashik Division supplement, Part-I, dated 12th August, 2004 on page Nos.1693 to 1712;

And whereas, in the opinion of the State Government, the Planning Authority has neglected to perform its duty imposed upon it under the provisions of the said Act in regard to publish the substantial changes in the said Development Plan in official Gazette and taking further actions upto submission of the said Development Plan to Government for sanction within a specified time limit;

And whereas, in the exercise of powers conferred by sub-section (1) of Section 162 of the said Act and all other powers enabling in that behalf, the Government of Maharashtra has appointed the Deputy Director of Town Planning, Nashik Division, Nashik to be an **Officer** for performing the duties of the said Planning Authority under Section 28, 29 & 30 of the said Act vide its notification No.TPS-1105/21/CR-2/2005/UD-9, dated 27th January, 2005;

And whereas, after hearing the suggestions and objections to the substantial modifications, the said Officer has made some modifications in the said Development Plan under sub-section (4) of Section 28 of the said Act, but he was unable to publish the same for public information due to lack of time available before submission to the Government;

And whereas, in accordance with the provisions of Section 30 of the said Act, the said Officer has submitted the said Development Plan to the Government of Maharashtra for further action as well as sanction vide letter No. नावि/प्रावियो/मालेगाव (द.सु.)/कलम ३०/२२५, दिनांक १० फेब्रुवारी, २००५ within specified time limit;

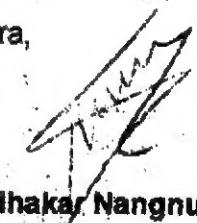
And whereas, the Government has published the said draft Development Plan so modified for public information for one month to fulfil the requirement of publication under sub-section (4) of Section 28 by notice published in the Maharashtra Government Gazette, Nashik Division supplement, part-I, dated 1st September, 2005 on page Nos. 1159 & 1160;

And whereas, in accordance with provisions of sub-section (1) of Section 31 of the said Act, the said Development Plan is required to be sanctioned by Government not later than one year from the date of receipt from the Planning Authority or within any such further period extended by the State Government in accordance with the proviso to the sub-section (1) of Section 31 of the said Act;

And whereas, the Government of Maharashtra has decided to extend the time limit for sanctioning the said Development Plan under sub-section (1) of Section 31 of the said Act upto and inclusive of 15/9/2006;

Now, therefore, in exercise of powers conferred under the proviso to sub-section (1) of Section 31 of the said Act, the Government of Maharashtra hereby extends period for according sanction to the said Development Plan for a period upto and inclusive of 15/9/2006;

By order and in the name of Governor of Maharashtra,


(Sudhakar Nangnure)
Deputy Secretary to the Govt.

NOTIFICATION
Government of Maharashtra,
Urban Development Department,
Mantralaya, Mumbai-400 032.
Dated : 15/9/2006

No.TPS-1105/3500/CR-114(B)/06/UD-9:-

Maharashtra
Regional &
Town
Planning Act,
1966

Whereas, the Malegaon Municipal Corporation (hereinafter referred to as 'the said Planning Authority') being the Planning Authority, within its jurisdiction under Clause (19) of Section 2 of the Maharashtra Regional & Town Planning Act, 1966 (Maharashtra XXXVII of 1966) (hereinafter referred to as 'the said Act') has by its Resolution No.41, dated 24th July, 1997 declared its intention under Section 38 read with sub-section (1) of Section 23 of the said Act, to prepare Revised Draft Development Plan for the municipal limit and notice of such declaration was published at Page No.245 & 246 of the Maharashtra Government Gazette, dated 26th February, 1998;

And whereas, the said Planning Authority after carrying out survey of the lands within its jurisdiction as required under Section 25 of the said Act, prepared and published a notice regarding preparation of Draft Development Plan at page No.227 in the Maharashtra Government Gazette, Nashik Division Supplement, Part-I, dated 14th February, 2002 for inviting suggestions & objections to the such Draft Development Plan for the area of Malegaon Municipal Corporation (hereinafter referred to as 'the said Development Plan') under sub-section (1) of Section 26 of the said Act;

And whereas, after considering the suggestions and objections to the published draft Development Plan received and report submitted by the Planning Committee, the said Planning Authority made some modifications under Section 28(4) of the said Act to the Development Plan vide its Resolution No.123, dated 23rd June, 2003;

And whereas, the modifications proposed in the said Development Plan by the Planning Authority are of substantial nature, the Planning Authority has published the modifications under Section 29 of the said Act for inviting suggestions and objection thereon from the public, the notification to that effect was published in the Maharashtra Government Gazette, Nashik Division supplement, Part-I, dated 12th August, 2004 on page Nos.1693 to 1712;

And whereas, in the opinion of the State Government, the Planning Authority has neglected to perform its duty imposed upon it under the provisions of the said Act in regard to publish the substantial changes in the said Development Plan in official Gazette and taking further actions upto submission of the said Development Plan to Government for sanction within a specified time limit;

And whereas, in the exercise of powers conferred by sub-section (1) of Section 162 of the said Act and all other powers enabling in that behalf, the Government of Maharashtra has appointed the Deputy Director of Town Planning, Nashik Division, Nashik to be an Officer for performing the duties of the said Planning Authority under Section 26, 29 & 30 of the said Act vide its notification No.TPS-1105/21/CR-2/2005/UD-9, dated 27th January, 2005;

And whereas, after hearing the suggestions and objections to the substantial modifications, the said Officer has made some modifications in the said Development Plan under sub-section (4) of Section 28 of the said Act, but he was unable to publish the same for public information due to lack of time available before submission to the Government;

And whereas, in accordance with the provisions of Section 30 of the said Act, the said Officer has submitted the said Development Plan to the Government of Maharashtra for further

action as well as sanction vide letter No. नावि/प्रावियो/मालेगाव (दु.सु.)/कलम ३०/२२५, दिनांक १० फेब्रुवारी, २००५ within specified time limit;

And whereas, the Government has published the said draft Development Plan so modified for public information for one month to fulfil the requirement of publication under sub-section (4) of Section 28 by notice published in the Maharashtra Government Gazette, Nashik Division supplement, part-I, dated 1st September, 2005 on page Nos.1159 & 1160;

And whereas, the State Government extended the period under Section 31(1) of the said Act for sanctioning the said Development Plan upto and inclusive of the 15/9/2006 vide Urban Development Department's Notification No. No.TPS-1105/3500/CR-114(A)06/UD-9;

And whereas, in accordance with sub-Section (1) of Section 31 of the said Act, the State Government after making necessary inquiry and after consulting the Director of Town Planning, Maharashtra State, Pune, as decided to sanction a part of the said Development Plan (Schedule Part-I) excluding that part as shown bounded Pink on the plan (hereinafter referred to as "the said excluded part of the said Development Plan") subject to modifications which are considered to be of substantial nature, as specified in Schedule annexed hereto M1, M2...etc.... (Schedule-II)

Now, therefore, in exercise of the powers conferred by sub-Section (1) of Section 31 of the said Act and of all other powers enabling it in that behalf, the Government of Maharashtra hereby,

- (a) sanctions the said Development Plan excluding the part shown in Pink colour subject to modifications shown in Orange colour on the said Development Plan and specified in the Schedule of Modifications (schedule-I)
- (b) fixes the date 1/11/2006 to be the date on which the final Development Plan for area of Malegaon Municipal Corporation excluding the said excluded part of the draft Development Plan shall come into force.

Note :

- i) The aforesaid final Development Plan excluding the said excluded part of the Draft Development Plan sanctioned by the State Government shall be kept open for inspection by the public during working hours on all working days for a period of one month in the office of the Malegaon Municipal Corporation.
- ii) Areas of reserved sites mentioned in the report of the Development Plan are approximate and subject to actual measurement on site as per boundaries shown on the final Development Plan.
- iii) Draftsman's errors which are required to be corrected as per actual situation on site/or as per survey records, sanctioned layout, etc. shall be corrected by the Commissioner, Malegaon Municipal Corporation, Malegaon after due verification and with prior approval of the Director of Town Planning, Maharashtra State, Pune.
- iv) The private or rental premises designated in Public-Semipublic Zone will continue to be in this zone as long as public-semipublic user, otherwise those lands shall be considered to be included in the adjoining major use zone.
- v) The reservations/allocations which are not appeared in the schedule of modification and Schedule of proposed substantial modifications (Part-I, Part-II) are hereby sanctioned by the respective purposes as designated in the Development Plan.
- vi) If Municipal Corporation obtains new flood line from Irrigation Department (after carrying out necessary survey) then it will come into force from that day.
- vii) This public notice is also available on Department's web site www.urban.maharashtra.gov.in.

By order and in the name of Governor of Maharashtra,

(Sudhakar Mangnure)
Deputy Secretary to Govt.

NOTICE

Government of Maharashtra,
Urban Development Department,
Mantralaya, Mumbai-400 032.
Dated : 15/9/2006

No. TPS-1105/3500/CR.114(C)/06/UD-9

Maharashtra
Regional
& Town

Whereas, the Malegaon Municipal Corporation (hereinafter referred to as 'the said Planning Authority') being the Planning Authority, within its jurisdiction under Clause (19) of Section 2 of the Maharashtra Regional & Town Planning Act, 1966 (Maharashtra XXXVII of 1966) (hereinafter referred to as 'the said Act') has by its Resolution No.41, dated 24th July, 1997 declared its intention under Section 38 read with sub-section (1) of Section 23 of the said Act, to prepare Revised Draft Development Plan for the municipal limit and notice of such declaration was published at Page No.245 & 246 of the Maharashtra Government Gazette, dated 26th February, 1998;

And whereas, the said Planning Authority after carrying out survey of the lands within its jurisdiction as required under Section 25 of the said Act, prepared and published a notice regarding preparation of Draft Development Plan at page No.227 in the Maharashtra Government Gazette, Nashik Division Supplement, Part-I, dated 14th February, 2002 for inviting suggestions & objections to the said Draft Development Plan for the area of Malegaon Municipal Corporation (hereinafter referred to as 'the said Development Plan') under sub-section (1) of Section 26 of the said Act;

And whereas, after considering the suggestions and objections to the published draft Development Plan received and report submitted by the Planning Committee, the said Planning Authority made some modifications under Section 28(4) of the said Act to the Development Plan vide its Resolution No.123, dated 23rd June, 2003;

And whereas, the modifications proposed in the said Development Plan by the Planning Authority are of substantial nature, the Planning Authority has published the modifications under Section 29 of the said Act for inviting suggestions and objection thereon from the public, the notification to that effect was published in the Maharashtra Government Gazette, Nashik Division supplement, Part-I, dated 12th August, 2004 on page Nos.1693 to 1712;

And whereas, in the opinion of the State Government, the Planning Authority has neglected to perform its duty imposed upon it under the provisions of the said Act in regard to publish the substantial changes in the said Development Plan in official Gazette and taking further actions upto submission of the said Development Plan to Government for sanction within a specified time limit;

And whereas, in the exercise of powers conferred by sub-section (1) of Section 162 of the said Act and all other powers enabling in that behalf, the Government of Maharashtra has appointed the Deputy Director of Town Planning, Nashik Division, Nashik to be an Officer for performing the duties of the said Planning Authority under Section 28, 29 & 30 of the said Act vide its notification No.TPS-1105/21/CR-2/2005/UD-9, dated 27th January, 2005;

And whereas, after hearing the suggestions and objections to the substantial modifications, the said Officer has made some modifications in the said Development Plan under sub-section (4) of Section 28 of the said Act, but he was unable to publish the same for public information due to lack of time available before submission to the Government;

And whereas, in accordance with the provisions of Section 30 of the said Act, the said Officer has submitted the said Development Plan to the Government of Maharashtra for further action as well as sanction vide letter No. नावि/प्रावियो/मालेगाव (दु.सु.)/कलम ३०/२२५, दिनांक १० फेब्रुवारी, २००५ within specified time limit;

And whereas, the Government has published the said draft Development Plan so modified for public information for one month to fulfil the requirement of publication under sub-section (4) of Section 28 by notice published in the Maharashtra Government Gazette, Nashik Division supplement, part-I, dated 1st September, 2005 on page Nos. 1159 & 1160;

And whereas, the State Government of Maharashtra by its notification No. TPS-1105/3500/CR-114(b)/08/ud-9, dated 15/9/2006 sanctioned part of the said Development Plan of Malegaon (hereinafter referred to as "the said Notification") (excluding the part of the Development Plan) of Malegaon as shown bounded Pink on the plan (hereinafter referred to as "the said excluded part under the said Notification")

And whereas, it is seen that some of the modifications proposed to be made by the State Government are of substantial nature requiring republication under Section 31 of the said Act, the said modifications which are of substantial nature are given in Schedule-II appended to this notice and/or also shown on the said draft Development Plan verged in Pink colour and marked as excluded portion, EP-2. etc.;

Now, therefore, in exercise of the powers conferred by the sub-Section (1) of Section 31 of the said Act, Government of Maharashtra hereby gives notice inviting suggestions and objections from public in respect of proposed modifications as given in Schedule -II appended to this notice within a period 60 days from the date of publication of this notice in the official Gazette and further in exercise of powers conferred by sub-Section (2) of Section 31 of the said Act, hereby appoints the Deputy Director of Town Planning, Nashik Division, Nashik to be an Officer to hear any person or persons in respect of such suggestions and objections in the prescribed manner and to submit his report to the State Government. Plan showing the modifications is kept in the office of -

- (1) The Commissioner, Municipal Corporation, Malegaon,
- (2) The Deputy Director of Town Planning, Nashik Division, Nashik for inspection of public within office hours on working days.

Any objections or suggestions may be sent in writing to the Deputy Director of Town Planning, Nashik Division, Nashik, New Administrative Bldg., Commissioner Office Compound Nashik Road, Nashik who has been appointed as the Officer under Section 31(2) by the State Government to hear and submit his report in respect of the above modifications.

Note : This notice is also available on Department's web site www.urban.maharashtra.gov.in.

By order and in the name of Governor of Maharashtra

(Sudhakar Mangnure)
Deputy Secretary to Govt.